



Sen. Jacqueline Y. Collins

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09900SB3005sam003

LRB099 18897 MJP 47704 a

1 AMENDMENT TO SENATE BILL 3005

2 AMENDMENT NO. _____. Amend Senate Bill 3005 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Park District Code is amended by changing
5 Section 8-23 as follows:

6 (70 ILCS 1205/8-23)

7 Sec. 8-23. Criminal background investigations.

8 (a) An applicant for employment with a park district is
9 required as a condition of employment to authorize an
10 investigation to determine if the applicant has been convicted
11 of any of the enumerated criminal or drug offenses in
12 subsection (c) or (d) of this Section, or adjudicated a
13 delinquent minor for ~~7~~ any of the enumerated criminal or drug
14 offenses in subsection (c) or (d) of this Section, or has been
15 convicted, within 7 years of the application for employment
16 with the park district, of any other felony under the laws of

1 this State or of any offense committed or attempted in any
2 other state or against the laws of the United States that, if
3 committed or attempted in this State, would have been
4 punishable as a felony under the laws of this State.
5 Authorization for the investigation shall be furnished by the
6 applicant to the park district. Upon receipt of this
7 authorization, the park district shall submit the applicant's
8 name, sex, race, date of birth, and social security number to
9 the Department of State Police on forms prescribed by the
10 Department of State Police. The Department of State Police
11 shall conduct a search of the Illinois criminal history records
12 database to ascertain if the applicant being considered for
13 employment has been convicted of any of the enumerated criminal
14 or drug offenses in subsection (c) or (d) of this Section, or
15 adjudicated a delinquent minor for~~7~~ committing or attempting to
16 commit any of the enumerated criminal or drug offenses in
17 subsection (c) or (d) of this Section, or has been convicted of
18 committing or attempting to commit, within 7 years of the
19 application for employment with the park district, any other
20 felony under the laws of this State. The Department of State
21 Police shall charge the park district a fee for conducting the
22 investigation, which fee shall be deposited in the State Police
23 Services Fund and shall not exceed the cost of the inquiry. The
24 applicant shall not be charged a fee by the park district for
25 the investigation.

26 (b) If the search of the Illinois criminal history record

1 database indicates that the applicant has been convicted of any
2 of the enumerated criminal or drug offenses in subsection (c)
3 or (d), or adjudicated a delinquent minor for, committing or
4 attempting to commit any of the enumerated criminal or drug
5 offenses in subsection (c) or (d), or has been convicted of
6 committing or attempting to commit, within 7 years of the
7 application for employment with the park district, any other
8 felony under the laws of this State, the Department of State
9 Police and the Federal Bureau of Investigation shall furnish,
10 pursuant to a fingerprint based background check, records of
11 convictions or adjudications as a delinquent minor, until
12 expunged, to the president of the park district. Any
13 information concerning the record of convictions or
14 adjudications as a delinquent minor obtained by the president
15 shall be confidential and may only be transmitted to those
16 persons who are necessary to the decision on whether to hire
17 the applicant for employment. A copy of the record of
18 convictions or adjudications as a delinquent minor obtained
19 from the Department of State Police shall be provided to the
20 applicant for employment. Any person who releases any
21 confidential information concerning any criminal convictions
22 or adjudications as a delinquent minor of an applicant for
23 employment shall be guilty of a Class A misdemeanor, unless the
24 release of such information is authorized by this Section.

25 (c) No park district shall knowingly employ a person who
26 has been convicted, or adjudicated a delinquent minor, for

1 committing attempted first degree murder or for committing or
2 attempting to commit first degree murder, a Class X felony, or
3 any one or more of the following criminal offenses: (i) those
4 defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,
5 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3, 11-14.4, 11-15, 11-15.1,
6 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
7 11-20.1B, 11-20.3, 11-21, 11-30 (if convicted of a Class 4
8 felony), 12-7.3, 12-7.4, 12-7.5, 12-13, 12-14, 12-14.1, 12-15,
9 and 12-16 of the Criminal Code of 1961 or the Criminal Code of
10 2012; (ii) (blank); ~~those defined in the Cannabis Control Act,~~
11 ~~except those defined in Sections 4(a), 4(b), and 5(a) of that~~
12 ~~Act;~~ (iii) (blank); ~~those defined in the Illinois Controlled~~
13 ~~Substances Act;~~ (iv) (blank); ~~those defined in the~~
14 ~~Methamphetamine Control and Community Protection Act;~~ and (v)
15 any offense committed or attempted in any other state or
16 against the laws of the United States, which, if committed or
17 attempted in this State, would have been punishable as one or
18 more of the foregoing offenses. Further, no park district shall
19 knowingly employ a person who has been found to be the
20 perpetrator of sexual or physical abuse of any minor under 18
21 years of age pursuant to proceedings under Article II of the
22 Juvenile Court Act of 1987. No park district shall knowingly
23 employ a person for whom a criminal background investigation
24 has not been initiated.

25 (d) No park district shall knowingly employ a person who
26 has been convicted of the following drug offenses, other than

1 an offense set forth in subsection (c), until 7 years following
2 the end of the sentence imposed for any of the following
3 offenses: (i) those defined in the Cannabis Control Act, except
4 those defined in Sections 4(a), 4(b), 4(c), 5(a), and 5(b) of
5 that Act; (ii) those defined in the Illinois Controlled
6 Substances Act; (iii) those defined in the Methamphetamine
7 Control and Community Protection Act; and (iv) any offense
8 committed or attempted in any other state or against the laws
9 of the United States, which, if committed or attempted in this
10 State, would have been punishable as one or more of the
11 foregoing offenses. For purposes of this paragraph, "sentence"
12 includes any period of supervision or probation that was
13 imposed either alone or in combination with a period of
14 incarceration.

15 (e) Notwithstanding the provisions of subsections (c) and
16 (d), a park district may, in its discretion, employ a person
17 who has been granted a certificate of good conduct under
18 Section 5-5.5-25 of the Unified Code of Corrections by the
19 circuit court.

20 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
21 97-1150, eff. 1-25-13.)

22 Section 10. The Chicago Park District Act is amended by
23 changing Section 16a-5 as follows:

24 (70 ILCS 1505/16a-5)

1 Sec. 16a-5. Criminal background investigations.

2 (a) An applicant for employment with the Chicago Park
3 District is required as a condition of employment to authorize
4 an investigation to determine if the applicant has been
5 convicted of any of the enumerated criminal or drug offenses in
6 subsection (c) or (d) of this Section, or adjudicated a
7 delinquent minor for~~7~~ any of the enumerated criminal or drug
8 offenses in subsection (c) or (d) of this Section, or has been
9 convicted, within 7 years of the application for employment
10 with the Chicago Park District, of any other felony under the
11 laws of this State or of any offense committed or attempted in
12 any other state or against the laws of the United States that,
13 if committed or attempted in this State, would have been
14 punishable as a felony under the laws of this State.
15 Authorization for the investigation shall be furnished by the
16 applicant to the Chicago Park District. Upon receipt of this
17 authorization, the Chicago Park District shall submit the
18 applicant's name, sex, race, date of birth, and social security
19 number to the Department of State Police on forms prescribed by
20 the Department of State Police. The Department of State Police
21 shall conduct a search of the Illinois criminal history record
22 information database to ascertain if the applicant being
23 considered for employment has been convicted of any of the
24 enumerated criminal or drug offenses in subsection (c) or (d)
25 of this Section, or adjudicated a delinquent minor for~~7~~
26 committing or attempting to commit any of the enumerated

1 criminal or drug offenses in subsection (c) or (d) of this
2 Section, or has been convicted, or of committing or attempting to
3 commit, or within 7 years of the application for employment with
4 the Chicago Park District, any other felony under the laws of
5 this State. The Department of State Police shall charge the
6 Chicago Park District a fee for conducting the investigation,
7 which fee shall be deposited in the State Police Services Fund
8 and shall not exceed the cost of the inquiry. The applicant
9 shall not be charged a fee by the Chicago Park District for the
10 investigation.

11 (b) If the search of the Illinois criminal history record
12 database indicates that the applicant has been convicted of any
13 of the enumerated criminal or drug offenses in subsection (c)
14 or (d), or adjudicated a delinquent minor for committing or
15 attempting to commit any of the enumerated criminal or drug
16 offenses in subsection (c) or (d), or has been convicted of
17 committing or attempting to commit, within 7 years of the
18 application for employment with the Chicago Park District, any
19 other felony under the laws of this State, the Department of
20 State Police and the Federal Bureau of Investigation shall
21 furnish, pursuant to a fingerprint based background check,
22 records of convictions or adjudications as a delinquent minor,
23 until expunged, to the General Superintendent and Chief
24 Executive Officer of the Chicago Park District. Any information
25 concerning the record of convictions or adjudications as a
26 delinquent minor obtained by the General Superintendent and

1 Chief Executive Officer shall be confidential and may only be
2 transmitted to those persons who are necessary to the decision
3 on whether to hire the applicant for employment. A copy of the
4 record of convictions or adjudications as a delinquent minor
5 obtained from the Department of State Police shall be provided
6 to the applicant for employment. Any person who releases any
7 confidential information concerning any criminal convictions
8 or adjudications as a delinquent minor of an applicant for
9 employment shall be guilty of a Class A misdemeanor, unless the
10 release of such information is authorized by this Section.

11 (c) The Chicago Park District may not knowingly employ a
12 person who has been convicted, or adjudicated a delinquent
13 minor, for committing attempted first degree murder or for
14 committing or attempting to commit first degree murder, a Class
15 X felony, or any one or more of the following criminal
16 offenses: (i) those defined in Sections 11-1.20, 11-1.30,
17 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9, ~~11-14,~~ 11-14.3,
18 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,
19 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30 (if
20 convicted of a Class 4 felony), 12-7.3, 12-7.4, 12-7.5, 12-13,
21 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961
22 or the Criminal Code of 2012; (ii) (blank); ~~those defined in~~
23 ~~the Cannabis Control Act, except those defined in Sections~~
24 ~~4(a), 4(b), and 5(a) of that Act;~~ (iii) (blank); ~~those defined~~
25 ~~in the Illinois Controlled Substances Act;~~ (iv) (blank); ~~those~~
26 ~~defined in the Methamphetamine Control and Community~~

1 ~~Protection Act;~~ and (v) any offense committed or attempted in
2 any other state or against the laws of the United States,
3 which, if committed or attempted in this State, would have been
4 punishable as one or more of the foregoing offenses. Further,
5 the Chicago Park District may not knowingly employ a person who
6 has been found to be the perpetrator of sexual or physical
7 abuse of any minor under 18 years of age pursuant to
8 proceedings under Article II of the Juvenile Court Act of 1987.
9 The Chicago Park District may not knowingly employ a person for
10 whom a criminal background investigation has not been
11 initiated.

12 (d) The Chicago Park District shall not knowingly employ a
13 person who has been convicted of the following drug offenses,
14 other than an offense set forth in subsection (c), until 7
15 years following the end of the sentence imposed for any of the
16 following offenses: (i) those defined in the Cannabis Control
17 Act, except those defined in Sections 4(a), 4(b), 4(c), 5(a),
18 and 5(b) of that Act; (ii) those defined in the Illinois
19 Controlled Substances Act; (iii) those defined in the
20 Methamphetamine Control and Community Protection Act; and (iv)
21 any offense committed or attempted in any other state or
22 against the laws of the United States, which, if committed or
23 attempted in this State, would have been punishable as one or
24 more of the foregoing offenses. For purposes of this paragraph,
25 "sentence" includes any period of supervision or probation that
26 was imposed either alone or in combination with a period of

1 incarceration.

2 (e) Notwithstanding the provisions of subsection (c) or
3 (d), the Chicago Park District may, in its discretion, employ a
4 person who has been granted a certificate of good conduct under
5 Section 5-5.5-25 of the Unified Code of Corrections by the
6 Circuit Court.

7 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
8 97-1150, eff. 1-25-13.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".